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Bruce G. Paulsen (BP 9563)  
Wayne A. Parker (WP 6661)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

INTERMARE TRANSPORT GMBH,

Plaintiffs,

- against -

NAMIREI-SHOWA CO., LTD., NAKANISHI KIKAI,  
AND SN NAVIGATION PANAMA a/k/a SN  
NAVIGATION S.A. OF PANAMA,

Defendants.

**NOTICE OF MOTION**

**ORAL ARGUMENT  
REQUESTED**

Civil Action No.  
08 Civ. 3181 (WHP)  
ECF CASE

PLEASE TAKE NOTICE that upon the declaration of Mr. Masami Nakanishi pursuant to 28 U.S.C. § 1746 dated August 26, 2008, including all exhibits annexed thereto, the accompanying memorandum of law dated August 27, 2008 and upon all prior pleadings and proceedings herein, defendant Nakanishi Kikai Kogyosho Co., Ltd. ("Nakanishi") shall move this Court, at the United States Courthouse located at 500 Pearl Street, Room 11D, New York, New York 10007 before the Hon. William H. Pauley III, at such time as counsel may be heard, for an order vacating the order of attachment herein as to Nakanishi and dismissing the first amended complaint as against it, and for such other and further relief as is just.

Dated: New York, New York  
August 27, 2008

SEWARD & KISSEL LLP

By: s/Bruce G. Paulsen

Bruce G. Paulsen

SEWARD & KISSEL LLP

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Attorneys for Defendant

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